

## **REMARKS/ARGUMENTS**

The examiner has rejected claims 1, 13, 21 and 24 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The examiner states that the applicant has not mentioned or disclosed “additional parts do not comprise image data already sent in said representative part” in the specification.

The applicants respectfully disagree. In the applicants’ specification, the numerous embodiments of the applicants’ currently-claimed invention are described with respect to image data encoded with scalable coder/decoders and various progression orders (applicants’ specification, pages 2-4). Inherent to progressive image coding is that portions of encoded data need only be sent once and additional parts do not comprise data previously transmitted. The examiner is directed to page 5 of “JPEG 2000 Part 1 Final Committee Draft Version 1.0” which was incorporated by reference in the applicants’ specification and is attached to this reply for the examiner’s convenience. On page 5 of the reference, the term “progressive” is defined as “The order of a codestream where the decoding of each *successive bit* [emphasis added] contributes to a “better” reconstruction of the image. ... Some examples of progression are increasing resolution or improved pixel fidelity.”

Further, the examiner is directed to the paragraph beginning on page 5, line 3 in the applicants’ specification. This paragraph clearly describes quality scalability in which a coarse version of an image may be rendered before the image is fully received. A reduction in coarseness of the image results *as progressively more data* [emphasis added] is received. For a discussion of region-of-interest (ROI) scalability, the examiner is directed to the paragraph beginning on page 5, line 8. This paragraph describes the transmission of an initial ROI followed by *another portion or the remainder of the image* [emphasis added].

The applicants assert that the specification mentions, discloses, and enables “additional parts do not comprise image data already sent in said representative part,” and therefore this rejection of claims 1, 13, 21 and 24 should be withdrawn.

The examiner has rejected claims 1, 13, 21 and 24 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The examiner states that the new

limitations of “integral data units” lack support in the specification. He states that there is no mention of “integral data units” and what these data units may contain. Claims 1, 13, 21 and 24 have been amended to remove the term “integral data units,” and the unambiguous term “data bytes” has been inserted. This rejection of claims 1, 13, 21 and 24 should be withdrawn.

The examiner has rejected claims 1, 2, 4, 6-9, 11-13, 15-19, 21, 24, and 25 under 35 U.S.C. §102(a) as being anticipated by Gormish et al. (“JPEG 2000: Overview,” September 2000), hereinafter Gormish et al.

Claims 7 and 19 have been canceled.

Independent claim 1 has been amended to comprise the elements of (1) receiving an HTTP request comprising a selection of a customization of an image file and (2) transmitting, using HTTP, an additional set of data bytes that may be combined with a first set of data bytes to form the customization. Specifically, the following elements are present in amended claim 1:

receiving an HTTP request at said server wherein said HTTP request comprises a  
selection of a customization of said image file based on said representation  
of said image;  
parsing said image file on said server to determine an additional set of said data  
bytes that may be combined with said first set of said data bytes to form  
said customization; and  
transmitting said additional set of said data bytes to said client using HTTP;

These elements are not taught in Gormish et al. The examiner asserts with respect to claims 7, 19, and 25 that using HTTP for transmitting is taught in Gormish et al. in that HTTP is inherent in web browsing and that Gormish et al. (page 3, section 4.1, “Web browsing & printing”) teach web browsing. The claimed embodiments of the applicants’ invention are not directed to web browsing in a broad sense. The claimed embodiments of the applicants’ invention are directed to a particular method for scalable streaming of images.

The HTTP-based transmitting and receiving of the claimed embodiments of the applicants' invention are:

1. receiving an HTTP request at said server wherein said *HTTP request comprises a selection of a customization of said image file based on said representation of said image* [emphasis added];

and

2. transmitting said *additional set of said data bytes to said client using HTTP* [emphasis added];

These two elements are directed to using HTTP to transmit and receive necessary information to effectuate scalable streaming of images.

In section 4.1, Gormish et al. simply state "There are actually several web applications available for JPEG 2000." No detail is disclosed as to how these web applications function. The applicants are unaware of any web applications for JPEG 2000 that use HTTP for scalable streaming of images. The applicants are aware of a virtual file media access mechanism for JPEG 2000 image browsing that was proposed in JPEG committee meetings ["A Virtual File Media Access Mechanism for JPEG2000 Images Browsing," Li et al., ISO/IEC JTC1/SC29/WG1 N1473, November 22, 1999, hereinafter J. Li et al.]. This reference was submitted in applicants' IDS. J. Li et al. discloses a set of application programming interfaces (APIs) for random access of segments of a JPEG 2000 file. J. Li et al. also discloses an architecture for cache management, network packetization, and packet loss recovery for JPEG 2000 files. However, J. Li et al. *requires a proprietary server which is not compatible with HTTP* [emphasis added]. This could be one of the web applications mentioned in Gormish et al., and it does not disclose HTTP-based methods.

Additionally, independent claim 1 comprises the element of "parsing said image file on said server to determine an additional set of said data bytes that may be combined with said first set of said data bytes to form said customization;" and this element is not disclosed in Gormish

et al. The examiner has cited section 4.1 as teaching this element. This section does not mention parsing an image file. This section does not mention any method for determining “the data needed by the application.” There is only cursory mention that “the server can provide only the necessary additional data...” with no discussion of how the server determines or provides such necessary additional data.

Therefore, claim 1 is allowable as amended. Claims 2, 4, 6, 8, 9, 11, and 12 are dependent on claim 1 and comprise all of the limitations therein, and are therefore allowable.

Independent claims 13, 21, and 24 have been similarly amended as independent claim 1, and arguments to their patentability follow the same rationale as discussed above with respect to independent claim 1. Claims 13, 21, and 24 are therefore allowable in their amended form. Claims 15-18 are dependent on claim 13 and comprise all of the limitations therein, and are therefore allowable. Claim 25 is dependent on claim 24 and comprises all of the limitations therein, and is therefore allowable.

The examiner has rejected claim 10 under 35 U.S.C. §103(a) as being unpatentable over Gormish et al. (“JPEG 2000: Overview,” September 2000), hereinafter Gormish et al., in view of Li, C. et al. (U.S. Patent No. 6,345,279), hereinafter Li et al.

Claim 10 is dependent on independent claim 1 and comprises all of the limitations therein. The combination of Gormish et al. and Li et al. does not disclose the elements of transmitting and receiving necessary information to effectuate scalable streaming of images using HTTP. Nor does the combination disclose the element of parsing an image file to determine an additional set of said data bytes that may be combined with a first set of data bytes to form an image customization. Since these elements are present in independent claim 1, on which claim 10 depends, claim 10 is allowable.

Based on the foregoing amendments and remarks, the applicants respectfully request reconsideration and allowance of the present application.

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Respectfully submitted,

/Scott C. Krieger/

Scott C. Krieger

Reg. No. 42,768

Tel No.: (360) 828-0589

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**APPENDIX**

Two pages immediately following this sheet.